

LEGISLATIVE DIGEST
(Revised 07/25/18)

[Administrative Code - Disclosure of Spending in Retirement Board, Health Service Board and Retiree Health Care Trust Fund Board Elections]

Ordinance amending the Administrative Code to require disclosure of candidate and third-party spending in Retirement Board, Health Service Board and Retiree Health Care Trust Fund Board elections; set late filing fees and penalties for violations; and specify that the Ethics Commission will enforce the related disclosure requirements.

Existing Law

Chapter 16, Article XIII of the Administrative Code governs elections for members of the Retirement Board, Health Service Board, and the Retiree Health Care Trust Fund Board (collectively "Boards"). Each Board consists of appointed and elected members. In general, only current and retired City employees can participate in these elections.

Article XIII does not require any reporting of expenditures made in support of or in opposition to candidates seeking election to these Boards.

Amendments to Current Law

The proposed ordinance requires persons seeking election to the Boards to comply with disclosure (of contributions and expenditures) and disclaimer requirements similar to those that apply to candidates for City elective office:

- filing of candidate intention statements;
- establishing a single bank account for all election-related activity;
- filing of initial statements of organization, semiannual statements, preelection statements, late contribution reports, and termination statements;
- filing of mass mailings with the Ethics Commission; and
- including disclaimer statements on campaign advertisements.

Likewise, the proposed ordinance imposes disclosure (of contributions and expenditures) and disclaimer requirements on third-parties that support or oppose such candidates:

- establishing a single bank account for all election-related activity;
- filing of initial statements of organization, semiannual statements, preelection statements, late independent expenditure reports, and termination statements;
- filing of campaign advertisements with the Ethics Commission; and
- including disclaimer statements on campaign advertisements.

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The proposal would also require candidates seeking election to the Boards to attend trainings to be conducted by the Ethics Commission.

The proposals also provides the Ethics Commission with the authority to conduct audits, impose late filing fees, levy penalties on persons who fail to file the required statements, and issue subpoenas in connection with such audits and enforcement actions.

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